

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1822

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WALTON, GREEN (15), DOLAN, BRITT, JOHNSON (90), ROSS, ABEL, RANSDALL (Co-sponsors), CRUMP, WARD, BURTON, MAYS (50), CURLS, CRAWFORD, CARNAHAN, SHELTON, LUETKEMEYER, MYERS, JOHNSON (61), DEMPSEY, FARNEN, TROUPE, FOLEY, GAMBARO, KELLY (36), WILLOUGHBY, BLAND, McKENNA, MOORE, BOWMAN, BERKOWITZ, VILLA, HAYWOOD AND BOYKINS.

Read 1st time February 6, 2002, and 1000 copies ordered printed.

Read 2nd time February 7, 2002, and referred to the Committee on Public Safety, Law Enforcement and Veteran Affairs, February 14, 2002.

Reported from the Committee on Public Safety, Law Enforcement and Veteran Affairs, February 27, 2002, with recommendation that the bill Do Pass by Consent.

Perfectured by Consent March 11, 2002.

TED WEDEL, Chief Clerk

4263L.01P

AN ACT

To repeal section 105.270, RSMo, and to enact in lieu thereof one new section relating to leave of absences to perform military duty.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 105.270, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 105.270, to read as follows:

105.270. 1. All officers and employees of this state, or of any department or agency thereof, or of any county, municipality, school district, or other political subdivision, and all other public employees of this state who are or may become members of the national guard or of any reserve component of the armed forces of the United States, shall be entitled to leave of absence from their respective duties, without loss of time, pay, regular leave, impairment of efficiency rating, or of any other rights or benefits, to which otherwise entitled, for all periods of military services during which they are engaged in the performance of duty or training in the service of this state at the call of the governor and as ordered by the adjutant general without regard to length of time, and for all periods of military services during which they are engaged

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

10 in the performance of duty in the service of the United States under competent orders for a period
11 not to exceed a total of [fifteen calendar days] **one hundred twenty hours** in any federal fiscal
12 year.

13 2. Before any payment of salary is made covering the period of the leave the officer or
14 the employee shall file with the appointing authority or supervising agency an official order from
15 the appropriate military authority as evidence of such duty for which military leave pay is granted
16 which order shall contain the certification of the officer or employee's commanding officer of
17 performance of duty in accordance with the terms of such order.

18 3. No member of the organized militia shall be discharged from employment by any of
19 the aforementioned agencies because of being a member of the organized militia, nor shall he
20 be hindered or prevented from performing any militia service he may be called upon to perform
21 by proper authority nor otherwise be discriminated against or dissuaded from enlisting or
22 continuing his service in the militia by threat or injury to him in respect to his employment. Any
23 officer or agent of the aforementioned agencies violating any of the provisions of this section is
24 guilty of a misdemeanor.

25 **4. Notwithstanding the provisions of any other administrative rule or law to the**
26 **contrary, any person entitled to military leave pursuant to the provisions of subsection 1**
27 **of this section shall only be charged military leave for any hours which that person would**
28 **otherwise have been required to work had it not been for such military leave. The**
29 **minimum charge for military leave shall be one hour and additional charges for military**
30 **leave shall be in multiples of the minimum charge.**